

## The governance of public schooling in South Africa and the middle class: social solidarity for the public good versus class interest

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## Article

### **The governance of public schooling in South Africa and the middle-class: social solidarity for the public good versus class interest.**

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#### **Abstract**

The article examines the unintended class differentiated and inequality reproducing effects of post-apartheid educational legislation. It does so through an analysis of government policies informing school governance and key policy makers in the education sector. It argues that such policies have had the unintended consequence of creating an unequal two-tier education structure in South Africa. While formally de-racialising schooling and aiming to make it more equitable the policies have not fundamentally eradicated the class and race bifurcation of the education system. As such a relatively well functioning, well-resourced semi-private education for the middle-class, stands in stark contrast to a largely dysfunctional poorly resourced system for the disadvantaged poorer majority. Policy has thus permitted the middle class to secure control of the historically white school sector, facilitating a 'new de-racialised middle class' who have 'opted out' of the public system of schooling in favour of semi-privatised schooling. The introduction of 'no fee' schools to address concerns of educational affordability and access in poor communities also fails to address the underlying structural issue of inequality. The paper concludes by examining re-distributive policy alternatives based on social justice, which can realise a far more fundamental re-distribution of educational resources and reclaim education as a public good.

## Introduction

The post-apartheid state introduced a range of measures and mechanisms within the de-racialised distributional regime to improve the lives of those previously disadvantaged, including in the fields of education, social welfare, and labour market policies and practices. Badat and Sayed (2014) argue that the state also propelled (in significant ways) the increase of a black economic elite and middle class in post-apartheid South Africa. But the main consequence was that the black middle class benefited mainly from post-apartheid affirmative action policies, to the detriment of the poor and the unemployed. The system of education governance in South Africa demonstrates the challenges of addressing class based inequality and the unintended consequences of government education policy aimed at redressing the structural legacy of apartheid era schooling. The evidence suggests that the beneficiaries of the government's decentralised school governance policies have been mainly wealthy and middle-class South Africans.<sup>1</sup> By virtue of their residential mobility and wealth they have been able to secure school places for their children in public fee-charging schools located in wealthier suburbs and neighbourhoods (Sayed and Ahmed 2009). Such policies as discussed below make the wealthier sections of society pay more for their own schooling, while the fee exemption policy protects those who are unable to pay the fees that wealthier schools charge. Schooling in post-1994 democratic South Africa continues therefore to reflect the geographies of inequality established in the apartheid era and have reinforced limited social mobility for the vast majority of South Africans.

On the other hand, the new funding formulas for schools, key to the policies of devolved school governance, have arguably promoted greater equity. Policies on school governance and the fiscal provisions of the funding formulae have thus resulted in the creation of a broadly two-tier system of education with exclusionary and marginalising results (Sayed and Soudien 2005, Carrim 2001). The promise of a benevolent, public-minded middle class as a key agent of transformation in post-apartheid society has still to be realised. While school governance policies have largely exacerbated inequities, educational policies aimed at educational re-dress also provide opportunities to challenge inequities if strategically applied.

While school governance in South Africa has been the subject of a fair degree of analysis, a comprehensive narrative of its evolution in the context of education policy reform and class based inequality has not been the subject of academic debate. This article seeks to remedy this deficit by examining the system of school governance and its effects from the perspective

of key policy-makers. The paper is based on interviews with senior policy makers and with representatives of the ruling party, the African National Congress (ANC), the official opposition, the Democratic Alliance (DA), and civil society representatives conducted between 2013 and 2015, and also analysis of key education and macro-development political texts.<sup>ii</sup>

### **Context: the evolution of school governance policies in the democratic era**

The current schooling structure in South Africa is composed of about 25,720 ordinary schools in South Africa, and within that about 4% are independent/private schools. The national average learner-educator ratio in ordinary schools is 30, ranging from 27 in the Free State to 32 in the Northern Cape province (Department of Basic Education 2015). About 64% of all learners in public schools are in no-fee-paying schools, which are in general under resourced and located in deprived and marginalised locations. The remaining 36% of learners are in fee paying public schools.

The origins of the current system are in educational policies enacted in the post-1994 democratic era though its roots stretch back to the early 1990s with the enactment of the Model B and C regulations by the then ruling National Party (Carrim and Sayed 1992). The school governance policies are based on the provisions of the Schools Act enacted in 1996 and amended in 2003, and the National Norms and Standards for Schools Funding (NNSSF) (1998) enacted in 1998 and amended in 2006. The South African Schools Act (SASA) (Department of Education 1996: 8) created school governing bodies in every school as juristic persons and devolved significant powers to school governing bodies (SGBs) as a mechanism for broad-based participation for school communities. SGBs are composed of the school principal together with elected representatives of parents, educators, non-teaching staff and (in secondary schools) learners. SASA transferred significant powers to schools including admission, language policy and crucially the power to appoint both educators and non-educator staff. Parents have a majority stake in these arrangements.

The assumption that underpinned this approach was that those parents or guardians who pay school fees should have the power to manage schools as they see fit, subject to certain regulations. Since the original Schools Act the state has redefined governance policies. For example, since 2002 SGBs are no longer consulted when allocating new educators as well as educators who return after a break. The allocation is governed by the 2002 Education Laws Amendment Act and performed directly by the provincial departments

of education (Republic of South Africa 2002). Nonetheless, as argued below, they still have significant powers.

The NNSSF is a fiscal policy introduced in October 1998 (Department of Education 1998), which provided guidelines on how provinces should fund schools and which schools are eligible for fee exemption based the extent of poverty in the local catchment area of the school. The NNSSF allowed public schools to charge fees and have total control over their budget. While the minimum charge reported was R50 per month, some schools charge R4,000 per month, highlighting the significant inequities in education expenditure between the rich and the poor (Department of Education 2003). There is thus a substantial differentiation between schools that charge fees.

To mitigate some of the inequities, the amended version of NNSSF (2006) created a group of fee free schools, which do not charge compulsory school fees.<sup>iii</sup> These schools in Quintiles 1 to 3 receive an increased allocation from the provincial education department to offset revenues previously generated through school fees.<sup>iv</sup> Although the ‘no fees school’ status is determined provincially, a national standard procedure is followed. This procedure is based on three poverty indicators: income, unemployment rate, and level of education of the community. This amendment, from fee charging at all schools to a no-fees status for the majority of schools, signalled a significant policy shift. Government policy was no longer viable as originally proposed in SASA, that the ‘governing body of a public school must take all reasonable measures within its means to supplement the resources supplied by the State in order to improve the quality of education provided by the school to all learners at the school’ (Department of Education 1996: section 36)

The amended NNSSF attempted to tighten up the regulations for fee exemptions for poor pupils attending fee-charging schools by establishing regulations for fair criteria and procedures regarding the exemption of school fees for parents who are unable to pay them. However, these regulations are communicated to parents of the schools through the SGBs, which are the bodies that also decide the criteria for fees exemption. Thus SGBs representing parents in wealthier school still retain much power in setting fees and communicating with poor parents, notwithstanding the amendments.

### **Unpacking the post-apartheid governance policy trajectory.<sup>v</sup>**

School governance policies are analysed in this section in relation to the twin goals of democracy and equity.

#### ***Community and parental involvement in school governance: the role of School Governing Boards in a post-apartheid democracy.***

Democratisation and greater community control was a key imperative underpinning post-apartheid education policy. SGBs were considered by many as a way in which education could be decentralised and local communities granted powers to manage their affairs privileging community and parental involvement.

Notwithstanding the laudable ideals of democratisation, this approach had to contend with the class-fractured provision of education. In other words the middle-class was better able to take advantage of the opportunities provided by the democratisation of school governance. Some government policy makers suggested that since 1994, as a result of the new opportunities afforded to black people from financially advantaged backgrounds, economic capability and social class have gradually begun to displace race as a source of inequality. Thus, despite the establishment of SGBs as vehicles of democracy, there is a '*big debate*' according to a senior government policy maker on the value of the SGB model in terms of the differentiated capacity of communities, parents and students across approximately 26,000 schools to maintain an effective and genuinely democratic form of governance.

A government policy-maker noted that the lack of the skills needed to undertake school governance as envisaged in policy, is a 'barrier to participation' in SGBs, particularly in majority-black rural communities.<sup>vi</sup> However, the same interviewee rebuked those who were exaggeratedly critical and unsympathetic towards the SGB model and disagreed with the call for SGBs to be 'done away with', suggesting a more compassionate approach: 'you can't blame our people like that'.<sup>vii</sup> Another government representative noted that the effectiveness of SGBs revolved around 'the questions of leadership ... community leadership as well as professional leadership in the schools, not administration – leadership'.<sup>viii</sup> The lack of capacity in school governance, combined with the cultural capital of the wealthy parents, ensure that notwithstanding the intention to treat parents as '*partners*'<sup>ix</sup> in the educational enterprise, and to '*trust communities not to mess it up*'<sup>x</sup> inequities emerge over key functions

such as admissions (Pampallis 2003). The quote below from an NGO representative captures the magnitude of these inequities:

We firmly believe the school governing body is a key lever that has to be pulled if you want to address education in South Africa. And that at the moment, because of the legislative framework, the limitations around previously disadvantaged schools and the kinds of social capital they have access to through their parent body just means that inequality between historically Model C schools and the previously disadvantaged schools is just going to keep growing wider and wider.<sup>xi</sup>

In addition to greater democratisation and control, another driver in governance policies in the form of SGBs was to strengthen the public schooling system by preventing the flight of the middle-class. It was based on a transformation strategy which sought to ensure buy-in and support of the middle class for the public sector. This strategy, whilst obviously focused on the desegregation of schooling, is premised on the idea that members of the middle class are effective advocates of change and can act as the voice for reform if they are retained in the public sector through participation and fee charging as discussed below.<sup>xii</sup>

The transformative potential of the middle-class in relation to the 'public good' has yet to be realised however. The evidence suggests that the middle class in South Africa is opting out of the idea of a comprehensive public sector. An individualist and self-interested ethos in the middle-class has resulted in a society that, interviewees argue, no longer shares a common public vision, as claimed here:

When we got into democracy we did not deliberate hard enough to try and think of the type of society that we wanted, and we allowed a lot of things to just happen, and we had hoped that by allowing certain things to happen, we'd reach a particular vision of a 'rainbow nation'. And we are very far from that because if you talk about a rainbow nation, if ever there is anything like that based on the principles of Ubuntu caring etc., I think we have moved 360 degrees away from that.<sup>xiii</sup>

As this quote suggests, basing education policy on the idea that a middle class could become advocates of change for improving public education is problematic. This idea of social solidarity floundered on the reality that social class and wealth determines much of the lived realities in South Africa such as where individuals live, where they go to school, and who their friends are. This segregated experiential determination on the fault line of social class is

additionally overlaid with a differentiated race, gender, and geographical history. Middle class advocacy is thus limited by the fact that the middle-class experiences a different schooling reality in the context of an unequal society that structurally de-limits the possibilities for social solidarity. Thus experiential and social class determinations punctuate forms of agency in South Africa, facilitating and inhibiting it in contingent and unequal ways. These determinations suggest that while integration may have occurred at the formal system level, there is separation at the individual school, institutional, and personal level. The agency of the middle class then is enacted in spaces that remain segmented and separated, with tools that are shaped by experience and institution, and in ways that militate against the intended policy ideals of inclusivity and re-distribution.

### ***SGBs, parental involvement and school fees***

Democracy in school governance is intimately tied to the class differentiated policy of charging fees at some schools, but not at others. The most telling admission of the consequences of state policy is contained in the preamble to the Amendment of the National Norms and Standards for School Funding, which acknowledges that the policy continues to advantage those previously privileged and a ‘new de-racialised middle class’. This is stated as follows (Department of Education 2006: 10):

Ironically, given the emphasis on redress and equity, the funding provisions of the Act appear to have worked thus far to the advantage of public schools patronised by middle-class and wealthy parents. The apartheid regime favoured such communities with high-quality facilities, equipment and resources. Vigorous fund-raising by parent bodies, including commercial sponsorships and fee income, have enabled many such schools to add to their facilities, equipment and learning resources, and expand their range of cultural and sporting activities. Since 1995, when such schools have been required to down-size their staff establishments, many have been able to recruit additional staff on governing body contracts, paid from the school fund.

This differentiation of fee status introduced by the amendments to education policy was thus intended to correct inequities (as noted above). There are several reasons however why these amendments arguably do not erode the two-tier unequal education system in relation to



schools. First, despite financial aid to parents in the form of exemptions from school fees and the introduction of no-fee schools, working class parents still remain disadvantaged in current amended governance policies. This is because their access to fee exemption in fee charging schools is limited (discussed below). Moreover, fees often are not the only costs that the poor carry for schooling. There are also significant costs related to purchasing school uniforms and transport for example. Second, as noted above, the implementation of the exemption policies rest on the behaviours of SGBs serving the wealthy. Parents' ambitions for their children's education, it was suggested, thwarted the '*thread*' of the policy intention to create an '*egalitarian society*' and cap school fees;<sup>xiv</sup> parents overrode this policy through SGBs, which determine the level of school fees. Thus the paradigm of choice in fee charging schools enables wealthy parents to exercise choice to pay more in fees for smaller classes. As one national government policy-maker presented the issue, 'We have tried to cap the school fees, but it's parents who set the school fees'.<sup>xv</sup>

Third, the amendments do not consider that wealthier middle-class parents can inject private funds for their children's education. Such an approach exacerbates, rather than reduces, inequities (Fiske and Ladd 2006). Equity cannot be measured by equal per capita state expenditure per pupil (Motala, 2006), given the extent to which private contributions significantly increase wealthier school's financial resources in the form of fees and donations for example.

Fourth, there is constant refrain amongst policy-makers and some stakeholders that fee charging is a way of maintaining quality, as no-fee schools may suffer from poor quality education. As the following government interviewee suggested:

Government introduced no-fee schools. No-fee schools are excellent, but what about the quality of the education? So what is more important: the fact that it is free or the fact that it's quality education? So I think there has to be that kind of balancing of these things.<sup>xvi</sup>

Fifth, whilst the no-fee school policy provides a pre-specified minimum amount of funding from the government compensated to such schools for loss of school fee income, (Department of Education 2006:25), the majority of the items specified fall into what can be termed running costs (such as stationery, maintenance, services like electricity). Learning support materials like textbooks is the only item more directly related to learning. Schools that receive income from school fees – Quintiles 4 and 5 school SGBs – do have the

autonomy to hire additional teachers in addition to those allocated by the provincial departments. These amendments therefore affected non-teaching allocations but failed to address the crucial inequality in teacher inputs and personnel spending.

Wealthier schools also have on average a higher proportion of qualified educators (Isaacs 2015). As such the policies do not address the key assets of skilled and qualified teachers particularly at an inter-provincial level, as the following quote from an NGO representative suggests:

So I think that a huge challenge [is the] obvious [and] unequal distribution of experienced and highly educated teachers ... given the fact that SGBs ... can set school fees for schools and the money that comes in from those school fees can be used as 'top ups' or a way to set higher salaries, there is a creation of a quasi-market and so you have all the ... the highly qualified experienced proven teachers in Quintile 5 schools. <sup>xvii</sup>

Finally, the amendments still largely employs the quintile ranking as the basis for its pro-poor funding. Whilst several amendments to this have been made, it is still fundamentally a blunt instrument for effecting equity as it does not provide a robust measure of poverty (Chutgar and Kanjee 2009). The differential allocation of resources through the quintile system affects operating costs only, and does not address other fundamental drivers of inequity such as teacher allocations.

In all the ways suggested above, notwithstanding the equity interventions of the fee and no-fee policy which accompanied recent school governance changes, it remains the fault line of education inequity.

### ***Racial re-segregation, the middle-class and new patterns of exclusion***

Whilst the argument thus far focuses on the governance of schooling as a class based differentiation with some racial desegregation there is a growing differentiation between the wealthier schooling quintiles or fee charging schooling, specifically the Quintile 4 and 5 schools. Enrolment figures shows for quintiles the years 2003, 2007 and 2013 demonstrate that in 2013 the majority of white (87%) learners went to the wealthier Quintile 5 schools. This data is fairly consistent between 2003 and 2007 (Family Health International 2015: 13). However, between 2007 and 2013 there was a growing concentration of white learners into fee-paying schools, that is Quintile 4 and Quintile 5 which is the year when the no-fee

paying school policy was introduced. A similar pattern is observed amongst Indian learners. In the same period the percentage of learners in Coloured fee-paying schools decreased from 70% to 59% and in the equivalent African schools from 20% to 16%. It is of concern that re-segregation by race may be on the increase judging from this evidence and worth examining in greater detail.

The complex ways in which class and race occurs in the semi-private schooling system reveals several discernible features.<sup>xviii</sup> First, for many wealthy middle class black parents the desegregation of schooling has resulted in choices which have enabled them to send their children to previously white only schools. One national government policy-maker spoke about his children being able to mix with their peers from all races and that colour was not the focus of the children's attention.<sup>xix</sup> Despite this positive view, the experience of many in such schools is assimilation into a dominant school culture rather than meaningful integration.

Second, while integration does occur at the wealthier schools, poorer schools remain racially homogeneous largely due to the geographic patterns of residential occupation.

... You promote diversity. So these are like the hard issues ... the spatial residential areas, you know where learners go to school are pretty homogenous. And so how do you handle integration ...<sup>xx</sup>

Third, what is emerging is the rise of some commuter inner city schools which are becoming predominantly black. While there is not exact data on this, research, Sayed et al (2016) note that these schools serve largely inner city migrant populations or those from townships who use public transport to access these schools. This phenomenon has exposed the limitation of the quintile system as a system for classifying schools and national and provincial departments have been forced to reclassify such schools from, for example, Quintile 5 to lower quintiles or being declared no fee schools.

Fourth there has been, as a consequence of the school governance policies, a certain amount of 'racial hopping'. This is the process by which black African, Coloured and Indian learners 'hop' and cross geographical boundaries of educational privilege, but do not fundamentally erode the patterns of hegemonic power that underpin such privilege (Fataar 2015). These movements across boundaries of privilege also suggest a degree of de-racialisation but the fact is that poorer schools in the townships remain predominantly

African, under-resourced and are not the first choice for those who can exercise choice. A public official interviewed explains the differentiation in the following way:

... so basically there is a system that is the former white model C schools and they are becoming more integrated so they are not white anymore. So it's the former upper level State funded schools who are now partly State and private funded because they charge reasonably fairly high fees ... so that's the one part of the system let's call it the former Model C schools and then you've got the 2<sup>nd</sup> system - black, rural, blacks, black State urban and rural schools.

What this suggests is that while there is some de-racialisation occurring within the previous ex-Model C, previous House of Representatives (HOR), and previous House of Delegates (HOD) schools, the majority of ex-Model C schools still remain largely homogeneous in social class and racial terms. Thus at the top end of the public education system there are schools that are becoming increasingly more exclusivist and drawing a strong middle class layer of wealthy learners across the racial divides. This form of desegregation of schooling based on social class paradoxically results in new forms of social exclusion. What racial hopping (Chisholm 2004) has resulted in, is a particular form of school migration – some poor learners migrating from schools in the townships to schools in the suburbs and inner-cities or to previous HOR and previous HOD schools which, whilst they may charge fees, are considered to be a better option than the schools in the townships. Inequalities are perpetuated as comparatively wealthier parents exercise choice for a better education for their children with their purchasing power which has the consequence of diminishing the social and cultural capital and resources available in the 'township' schools.

The above analysis alerts us to the problem of retaining the middle class in the public educational system to ensure they become 'advocates of change'. From a social policy perspective, this is a plausible argument, as the middle class, by exercising their voice and power, could be effective agents of change in poorly functioning schools. Retaining the white middle class in the immediate post-1994 period was also imperative, as policy-makers at that time feared an exodus of white parents from public schools and what they perceived as a collapse of public schooling. However, as argued above, what was set in motion was the capture of segments of the public schooling system by a de-racialised wealthy and middle class group. This in effect created a two-tier system with the middle class located in well-resourced well functioning schools, and the vast majority of the poor in under-resourced poorly functioning schools. As such this group is unlikely to be advocates of system wide

reform as their spatialised experiences of schooling is segmented from the schooling reality of the majority. These new geographies of unequal and differentiated access in the school sector are the direct result, albeit arguably unintended, of policies on school governance. The fiscal provisions of the funding formulae have thus resulted in the creation of a broadly two-tier system and policy with exclusionary and marginalising results (Sayed and Ahmed 2009, Sayed and Soudien 2005, Carrim 2001).

### **Decentralisation, national and provincial relationships**

In addition to the policies discussed above on governance and fee exemption and their effects on differentiated schooling another key mechanism that effects equality in schooling is the organisation of schooling between the national and provincial levels of government.

In South Africa, formal education and the management of schooling is a joint responsibility of national and provincial governments. Provincial educational authorities have the freedom to determine substantive matters such as school management, textbooks, and precise budgetary allocation, whereas the national institutions determine norms and standards (Department of Education 1996). As noted above, a key feature of the evolution of governance was the decentralisation to the school. This was linked to a corresponding decentralisation of schooling to the provincial level.

Provinces and their schools largely have decision-making freedom, though this independence can clash with the will of national authorities. In the view of some policy-makers, provincial autonomy disempowers the national Department of Education from decisively intervening as required to achieve equity. Centralisation, considered the broad tendency of the ruling ANC, South Africa's governing political party, is necessary to effect redress, in the view of the ANC-affiliated interviewees.

For those from the opposition Democratic Alliance (DA) party ruling the Western Cape, more decentralised government would ensure democracy and allow provinces to respond to their particular educational needs:

let's not centralise, let's leave ... the diversity and the provincial departments to do their own thing because there are unique circumstances *in* EC [Eastern Cape] and in the WC [Western Cape] which a provincial department can deal with much better than having it centralised.<sup>xxi</sup>

Similarly,

We want to preserve provincial autonomy on these things because we believe that it better answers the different socio-demographical, geographical needs of a diverse population. If everything is centrally planned, it often overrides the diversity; it doesn't tap into the energy in that diversity.<sup>xxii</sup>

The quotes above suggest that centralised government for the opposition DA party is unable to address the diverse socio-economic contexts of the nine individual provinces, implying that provincial differentiation can most effectively '*better answer [...] needs*' and increase equity on a provincial level.<sup>xxiii</sup>

In contrast, central government policy-makers suggest that this is being reconsidered and that, since 1994, the role of government, especially regarding education, had become more '*emboldened and interventionist*'.<sup>xxiv</sup> This, potentially, has implications for school governance in terms of increased intervention by the educational authorities in schooling and a '*broadly view of governance*'.<sup>xxv</sup> An example was raised from the first post-apartheid administration: the national government allocated a certain amount of the budget for education on a national level, but because provinces allocated their own education budget, provinces could allocate less.

The dialectic in education between national norm setting and provincial concurrent powers to administer and manage schooling has resulted in a situation whereby provinces can alter or thwart the equity intentions, weak as they may be, of governance policies. This speaks to a larger concern about whether the semi-federal nature of South African polity is able to effect equity (van Niekerk 2012).

### **Conclusion: addressing inequity in education governance through bold policy intervention aimed at re-distribution**

The evolution of school governance is on the one hand a tale of unintended consequences despite a conscious effort to effect [redress and achieve equity and democratisation. On the other hand it is a narrative of persistent education inequities set against a wider canvas of societal inequities emerging from a long history of

colonisation, segregation and apartheid. There are two differing but complementary alternatives proffered as a way of addressing the systemic unintended outcomes of policy discussed in this article. The first proposed alternative, expressed by several policy-makers and one that is a common popular refrain, is that there is a segment of the public schooling system that works and that is attractive to many parents. That segment, as this paper has argued, is the schools largely serving the middle-class and are predominantly the fees paying schools. However, due to the de-racialisation and differentiation within this band, performance is not uniform.

The success of this model it is argued should be the basis for reforming public schools. Scaling up this semi-private system is a potential solution to the challenges of quality in many public schools (cf South African Institute of Race Relations 2011). Further, it is argued that that ex-Model C schools are not impermeable to black and non-middle class learners, in that there is some movement across race into the system, due in part to government-sponsored initiatives (du Toit 2004). Though it might be attractive to believe that this is a promising trend, generalising this approach is problematic for several reasons.

The better resourced 'ex-Model C' segment of public schooling operates, by default, a selective admission policy. The spatialised geographic inequities of post-apartheid society and the soft zoning catchment policy, by which most students are selected based on residential proximity, makes it virtually impossible for large movements across race and class. Thus, mainly pupils from wealthier middle-class families can afford to live in neighbourhoods providing admission to these schools. As such, they largely cater to the needs of the wealthier strata of the middle classes in South Africa, reflecting structural and deep-seated inequities in location. Demographic advantage cannot be scaled up without addressing fundamental inequities in the distribution of wealth in South African society.

Moreover, these schools are able to achieve better educational outcomes precisely because they are highly unequal. They operate in an inequitable societal context; it is inequality that explains their success and not necessarily their educational approaches. They do well because the soft zoning policy accompanying governance policies advantages the middle-class in wealthier neighbourhoods. Schooling advantage is nested in broader community and socio-economic advantages. Moreover, an obvious consequence of spatialised social inequity is that the upper bands of the public school

sector, which in effect function as semi-public schools, are able to implement measures strongly associated with high educational outcomes. These include employing highly skilled personnel and reducing class sizes. It is difficult to see how such a system can be generalised to schools where there are no fees and students have greater education and learning disadvantages in poorly resourced neighbourhoods. A semi-private school sector catering to a privileged constituency cannot become a norm for a well-functioning and truly public education system. It is difficult, indeed nigh impossible, to see how success in such schools can be a contextually and ahistorically transposed onto poorer contexts. It is conceivable to argue that such schools can accommodate some learners from poor backgrounds, but this often is limited and selective in that it favours the most able learners from disadvantaged background and cannot, as discussed below, accommodate over ten million learners currently in poorly resourced mainly township schools.

Whilst the alternative above seeks to generalise from what works for a select few schools to the entire public schooling system, a second alternative suggested is to extend the choice paradigm of school governance. This is by suggesting that parents are given the option of opting out of the public sector and enrolling in low-cost private schooling. Citing a litany of familiar quality woes in public education listed in this article including poor learner attainment and poor governance structures, proponents of this approach suggest that the solution is to encourage movement away from the public sector. The following extract from an article by Bernstein (2013) is typical of many such arguments:

Low fee private schooling in South African is growing rapidly. ... meanwhile the public sector is shrinking ... In poor communities, where public schooling is described by the government as dysfunctional (and worse by others), why should parents who decide to attend a local private school receive so much less per pupil than is spent on pupils in government schools?

Advocates of this approach argue that a voucher system, which is considerably less than what the state spends on education, could be given to parents to opt out of the public system.

In a South African Institute of Race Relations (SAIRR) Policy Brief entitled ‘(L)evelling the educational playing field’, Kane-Berman (2014: 2) argues:



Education needs to be liberated from the current almost universal top-down bureaucratic centralised model of state control in favour of a decentralised model. Schools in such a model would be run by boards accountable not to officials, but to parents. South Africa already has at least 3 500 such schools. We need more. One way to inspire more is for the state to give all parents bursaries in the form of vouchers to buy education for their children from the provider of their choice, whether a private school or a school run as a business, or a former model C, or an ordinary government school. Schools, now often being run to suit the South African Democratic Teachers' Union (Sadtu), would become schools run for the benefit of pupils.

The view of private schooling divided government interviewees. For some, greater privatisation was preventing government from taking decisive actions; the example was cited of how the private sector hindered the implementation of the policy on standardised school uniforms. A minority of government interviewees expressed the opinion that the private sector should 'fill the gap' and play a significant role in SGBs, given its expertise, for example, in management and financial skills.

Whilst there is much heat to the debate, the private sector actually caters for less than 5% of all South African learners and accounts for less than 9% of all schools (Sayed et al 2016). This notwithstanding, claims by the Independent Schools Association of South Africa (ISASA) that this sector has risen by over 40% over the past five years (from 2010). Thus much of the debate is not about size or growth but about the future shape of the schooling sector. What is envisaged is a system of provision in which the logic of school choice is extended to encompass free movement of learner from public to private schools, sanctioned and supported by the state through vouchers.

There are several criticisms of this line of argument (Motala and Dieltiens 2008, Vally and Motala 2013). Vally and Motala in particular provide a cogent overview of the critique including the erosion of the idea of public schooling as a public good. The key issue however, for this paper, is that, if '88 percent of African state schools are poor performers' (Kane-Berman 2014: 6) then it is difficult to conceive how a low-fee private school system can accommodate about ten million learners who are educationally disadvantaged and come from poorly resourced homes. Moreover, it is unclear why a problem of education quality in public schooling can be remedied by commodifying education through self-interested private providers accountable to shareholders and not to an electorate protecting the constitutional right to provision of education as a public good. There is very little empirical data which

suggest that low fee private schools can improve the quality of public schools (see Ashley et al 2014).

Clearly both options infusing education policy discourses are, for the reasons discussed above, problematic. More fundamentally they limit the option for establishing meaningful mechanisms to effect cross class and cross race solidarity which is what is required.

Cross class solidarity involves developing strategies to tackle the differentiated system of public provision which are informed by values and principles that affirm education as a collective public good and are underpinned by an ethic of social justice. It would guarantee the redistribution of resources and opportunities. To this end what is required are significant changes to the governance of education within the framework of existing legislation, and extending it where necessary. This proposal is about the long march through public institutions to ensure that they become democratic spaces of quality learning. Tentative suggestions are made for discussion and debate which seek to ensure that schools serving the most marginalised become magnets of quality.

First, there needs to be a more active and clear strategy for the redistribution of physical and human resources to areas of greatest need. This could entail ensuring that schools that charge fees redeploy some of the revenues generated to poorer schools. This could be in the form of active partnership between privileged and less privileged schools. In addition, and, most importantly, to employ more and better teachers it is necessary to institute measures that redirect human resources from privileged schools to areas that are most in need. It is imperative that ‘qualified, motivated, and committed teachers’, as ‘the single most important determinant of effective learning’ be placed in poorer schools (Sayed 2008: 7). To this end, there is an urgent need to ensure, through policy changes, that schools educating learners from the most deprived backgrounds have the best teachers. Multiple strategies should be deployed that ensure teachers are re-distributed from privileged schools to schools that need them most. Such teachers would not belong to a school, but would teach across schools. Targeted and attractive incentives would need to be offered to these teachers. Such a system of teacher deployment might reduce some of the divisions of the South African schooling system. Schools with private income in the form of fees and assertive governing bodies presently benefit disproportionately by attracting the best teachers. Whilst redistributing teachers may be difficult, as witnessed in the post-apartheid teacher rightsizing and rationalisation policy,<sup>xxvi</sup> an active equity driven system is crucial.

Second, more attention should be paid to re-examining the policy of decentralisation in general and education devolution in particular. The post-1994 process of education decentralisation has occurred in a context of great social inequity, and has exacerbated rather than reduced education inequity across provinces. Provincial capacity to deliver quality education is uneven and constrained by inherited legacies. For example, the Eastern Cape shows little progress across areas of poverty, in particular those geographic locations which were part of the former bantustans (Noble et al 2014). Provincialisation, as an outcome of the post-1994 settlement, requires revision to achieve social justice in education. Greater equity requires more interventionist approaches.

There are possibilities for educational intervention along the lines discussed in the form of the current proposed education reforms. The new policy on ‘The organisation, roles and responsibilities of education districts’ was issued in 2013 (Department of Basic Education 2013). Titled ‘Effective districts, better quality’ this policy has sought to recentralise authority with emphasis on the monitoring role of districts and the managerial role of school leadership. The new policy empowers district offices to become effective links between provincial Education Departments (PEDs), their respective education institutions and the public. The focus on districts is prominent in the Medium Term Framework to 2019 and begins to counter the school choice paradigm by returning elements of centralised accountability to the system through district support mechanisms. Localised centralisation offers the possibility for effecting changes consistent with both a commitment to democracy and equity, fostering cross class solidarity by appointing teachers to districts, for example, instead of schools, even if poorer schools are still racially and class homogeneous. The districts can thus begin a process of re-centralising authority to ensure that the atomisation and self-aggrandisement of individual schools and SGBS enacted in current policy is mitigated to create greater forms of equity and cross class solidarity.

Greater cross class solidarity has been made possible recently by the Constitutional Court judgement in favour of the Gauteng Department of Education (GDE) with respect to school zoning. The judgment argued that it was perfectly rational for the GDE to determine the zoning policy of schools which in effect means that the department will now have the final say over government schools’ admissions processes. This judgment was an order against the Federation of School Governing Bodies which challenged the proposed regulations, arguing that they undermine school autonomy. However, the Constitutional Court judges unanimously agreed the department should determine the feeder zones for schools as they

have an overall perspective of education in the province, and that such a move did not undermine the substantive powers of SGBs. This landmark judgement, if implemented, effectively undermines the selective admission policy of the wealthier public schools and thereby enabling greater forms of cross class solidarity and movement across schools.

While it would be naive to assume that these proposals (above), in and of themselves will altogether eradicate enduring, deep-seated historic and structural inequities, they do chart a more progressive approach for eroding the unequal differentiation of the public education system and creating a unified, comprehensive system. In this way the proposals begin to steer a pathway between abandoning the poorest segment of the public education system (low fee private school option), or transposing models uncritically (generalising the ex-Model C option), or turning over public school management to private companies and NGOs. By building on reforms already in motion and recent Constitutional Court judgements, whilst acknowledging that such interventions are necessary across the system as a whole, the proposals suggested above seek to animate a social justice transformation agenda in school governance and effect meaningful cross class solidarity. This represents a meaningful alternative to the current model which unintentionally facilitates the ‘opting out’ of the public education system by the middle-class.

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<sup>i</sup> By middle-class I mean those who are in largely professional positions of continuous, relatively well waged employment that allows them to access private forms of provision such as private health care and have the financial means with disposable income to contribute fees to the education of their children. This would suggest, in the context of this paper, those earning at least R25,000 per annum ([http://resep.sun.ac.za/wp-content/uploads/2013/10/The-emergent-SA-middle-class\\_.pdf](http://resep.sun.ac.za/wp-content/uploads/2013/10/The-emergent-SA-middle-class_.pdf))

<sup>ii</sup> This paper draws on two reports: The first is 'Teachers and youth as agents of social cohesion in South Africa' (2016) prepared by Sayed, et al (2016). The second is a report *The semi-privatization of public schooling in post-apartheid South Africa: extending educational elitism or the seeds of radical change?* (2015) prepared by Sayed, et al. I would like to acknowledge the contributions of the team and funders noting that the views in this paper do not reflect that of the funders or that of the contributors.

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<sup>iii</sup>The formula and how a school could apply for a ‘no fees’ status are discussed in sections 126A to 126E of the policy.

<sup>iv</sup> In the amendment to the South African Schools Act 1996 (SASA) in 2006 and the subsequent amendment to the National Norms and Standards for School Funding (NNSSF), parents in Quintiles 4 and 5 schools still make compulsory fee contributions to schools in order to ‘top up’ school funding. Students in schools that charge fees may apply to gain partial or full exemption from paying any school fees based on need, as specified by the NNSSF policy. In contrast, schools in Quintiles 1 to 3 are exempt from paying any fees.

<sup>v</sup>Teachers are a key constituency in current school governance policies. However, this paper mainly focuses on the role of the parents. Teacher involvement is dealt with in more extensive detail in a forthcoming book chapter by the main author.

<sup>vi</sup> Interview with senior policy-maker 3.

<sup>vii</sup> Interview with senior policy-maker 3.

<sup>viii</sup> Interview with senior policy-maker 5.

<sup>ix</sup> Interview with senior opposition leader 1.

<sup>x</sup> Interview with senior policy-maker 1.

<sup>xi</sup> Interview with an NGO representative 1.

<sup>xii</sup> This was the key conclusion of international consultants to the MoE on school governance options during the development of the SASA.

<sup>xiii</sup> Interview with senior policy-maker 6.

<sup>xiv</sup> Interview with senior policy-maker 7.

<sup>xv</sup> Interview with senior policy-maker 7.

<sup>xvi</sup> Interview with senior policy-maker 4.

<sup>xvii</sup> Interview with NGO representative 3.

<sup>xviii</sup> Fataar (2015) offers a most instructive read of the school subjectivities across post-apartheid school space. He argues that much of what occurs is a dislocation between residential location and schooling mobility although in this paper it is argued that it is limited and occurs at the margins. The inextricable link between wealth, schooling and race persists it is argued, although class begin to displace race to some extent resulting in class based segregated public schooling system.

<sup>xix</sup> Interview with senior policy-maker 4.

<sup>xx</sup> Interview with a senior policy-maker 3.

<sup>xxi</sup> Interview with DA senior policy advisor 1 the WC.

<sup>xxii</sup> Interview with DA senior policy advisor 1 in the WC.

<sup>xxiii</sup> Interview with DA senior policy advisor 1 in the WC.

<sup>xxiv</sup> Interview with senior policy-maker 7.

<sup>xxv</sup> Interview with senior policy-maker 7.

<sup>xxvi</sup> The teacher rationalisation, redeployment and redistribution policy emanated from findings and recommendation in the Department of Education, The National Teacher Audit Report (1995).is [this a reference?? done](#)] It sought to achieve greater equity, through a more equitable distribution of teachers across different schools and provinces. As part of this redeployment process, those teachers who were not willing to move to other schools could apply for voluntary severance packages (VSPs). The right-sizing teacher remuneration policy sought to ensure that salaries no longer reflected racial and gender inequities.